IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4532 OF 2004

Bahubali District Nagari Sahakari
Patsanstha Maryadit Jaisingpur ..Petitioner.

Versus

Shri Bharat Urban Co-op.Bank Ltd. & Ors...Respondents.

Mr. Amit B. Borkar for the Petitioner.
Mr. Tejpal Ingale for the Respondent Nos.1 & 3.
Mrs. V. Mhaispurkar, AGP for Respondent No.4-State.

CORAM : S. A. BOBDE, J.

DATED : 01st SEPTEMBER,2005.

P.C.:

. Admittedly, the dispute in regard to the amount involved is pending between the parties to this petition before the Co-operative Court. The dispute pertains to the investments allegedly made by Bahubali District Nagari Sahakari Patsanstha Maryadit Jaisingpur and Bharat Urban Co-op. Bank Ltd., Jaisingpur, in Jay Maharashtra Gul Khandsari Udyog Pvt.Ltd.. The present dispute arises out of an

application made by Shri Bharat Urban Co-op. Bank, which applied for deleting the name of Bahubali District Nagari Sahakari Patsanstha Maryadit i.e. the petitioner. The charge is to delete the name of the petitioner and remove entries of the charge from the other rights column. The learned Additional Commissioner, Pune Division, Pune, whose order is impugned in this petition, has dismissed the petitioner's revision, holding that there is no illegality in the lower court's order whereby the Bank's charge on the basis of the societies application has been deleted subject to the decision in the Co-operative Court. There is no reason to interfere with this order. The parties would be at liberty to apply depending on the outcome of the order of the Co-operative Court, as may be advised. Hence, dismissed.

DT.01.09.05 (S.A.BOBDE,J)

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